

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LAURIE D. ZALEUKE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:19-CV-2856 PLC
)	
ARCHDIOCESE OF ST. LOUIS,)	
ET AL.)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants Archdiocese of St. Louis (“Archdiocese”) and Assumption Catholic Church-O’Fallon d/b/a Assumption Parish (“Assumption Parish”) (collectively, “Defendants”), move for summary judgment pursuant to Fed. R. Civ. P. 56 on all counts of Plaintiff’s Amended Complaint. In support of this Motion, Defendants state as follows:

1. Plaintiff Laurie Zaleuke was employed as the principal of Assumption Parish school, a catholic elementary school within the Archdiocese of St. Louis.
2. Over the course of her first two years of employment, church leadership determined that Zaleuke’s conduct and demeanor rendered her unfit to serve as principal of a catholic school. She was therefore notified her that her contract would not be renewed.
3. Zaleuke subsequently filed the present lawsuit against the Defendants alleging three separate Title VII claims.
4. But federal courts have uniformly recognized the existence of a “ministerial exception,” grounded in the First Amendment, which precludes courts from entertaining Title VII claims concerning the employment decisions of religious institutions. *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. E.E.O.C.*, 565 U.S. 171, 188 (2012).

5. The ministerial exception applies to any employee charged with carrying out the school's religious mission. *Id.*

6. As principal of Assumption Parish school, Zaleuke drafted the school's religion curriculum, endeavored to play an active role in the faith formation of students, and saw it important that someone in her position be seen as a spiritual leader in the school community.

7. Zaleuke, as principal of Assumption Parish school, played an important role in carrying out the school's religious mission. *See, e.g., Fratello v. Archdiocese of New York*, 863 F.3d 190, 210 (2d Cir. 2017) ("In sum, then, we conclude that although [the plaintiff's] formal title [of lay principal] was not inherently religious, the record makes clear that she held herself out as a spiritual leader of the School and performed many important religious functions to advance its Roman Catholic mission.").

8. The ministerial exception therefore applies to Zaleuke and bars each of her Title VII claims.

9. Because the ministerial exception bars each of Zaleuke's claims, Defendants are entitled to summary judgment as a matter of law.

10. A Statement of Uncontroverted Material Facts and Memorandum in Support of Summary Judgment and related exhibits are filed contemporaneously with this Motion and are incorporated herein by this reference.

WHEREFORE, Defendants pray that the Court enter an order granting summary judgment in their favor as to all counts of Plaintiff's Amended Complaint, awarding to Defendants their costs incurred in the defense of this action, and granting such other and further relief as the Court may deem just and proper.

Respectfully submitted,

CARMODY MacDONALD P.C.

By: /s/ Ryann C. Carmody

Gerard T. Carmody, #24769MO

Ryann C. Carmody, #56831MO

Ryan M. Prsha, #70307MO

120 South Central Avenue, Suite 1800

St. Louis, Missouri 63105

(314) 854-8600 Telephone

(314) 854-8660 Facsimile

gtc@carmodymacdonald.com

rcc@carmodymacdonald.com

rmp@carmodymacdonald.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of August 2021, the foregoing was filed electronically with the Clerk of the Court, to be served by operation of the Court's electronic filing system and was served by electronic mail upon all counsel of record.

/s/Ryann C. Carmody